

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
Case No. 7:21-CV-00035-D**

PRIMERICA LIFE INSURANCE
COMPANY

Plaintiff,

v.

WINFIELD SMITH, individually,
MICHALE MARABLE, SR., individually, and
BENAJMIN R. WARRICK, in his capacity as
Administrator of the Estate of Barbara Ann Smith,

Defendants.

**ORDER GRANTING
MOTION FOR DISCHARGE**

This matter having come before the Court on Primerica Life Insurance Company's ("Primerica") Motion for Discharge, having considered Primerica's motion and the record, GRANTS Primerica's Motion for Discharge.

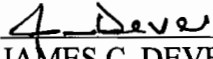
The Court finds that (1) Primerica properly invoked interpleader and the Court has jurisdiction over this action; (2) a single fund is at issue; (3) there are adverse claimants to the fund at issue; (4) the stakeholder is actually threatened with multiple liability; and (5) equitable concerns do not prevent the use of interpleader. The Court further finds that Primerica has deposited the funds at issue with the Court and is entitled to be discharged from this action pursuant to 28 U.S.C. § 2361.

THEREFORE, it is hereby ORDERED that:

1. Primerica is dismissed from this action and discharged from any further liability to Winfield Smith, Michale Marable, Sr., and the Estate in connection with the Benefit and/or any matter related thereto;

2. Winfield Smith, Michale Marable, Sr., and the Estate, along with their agents, attorneys, and assignees, are permanently enjoined from instituting, maintaining, or prosecuting any suit at law or equity or any action of any kind against Primerica and/or its agents with respect to the Benefit and/or any matter related thereto.

So ORDERED. This 2 day of December, 2021.



JAMES C. DEVER III
United States District Judge